

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for September 27, 2006 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No.06059

PROPOSAL: Amend section 27.69. Signs to provide for new LED (Light Emitting Diode) technology for on and off premise signs and to set limits on brightness and animation.

CONCLUSION: These amendments will permit the use of electronic changeable copy for both off premise (billboards) and on premise(business) signs, while avoiding the extremes of brightness and animation which have been the cause of recent citizen complaints.

RECOMMENDATION:

Approval

ANALYSIS:

1. This request is to amend the amend various provisions of 27.69 LMC relating to sign illumination and animation.
2. The purpose of this amendment is to acknowledge and recognize that new electronic and computer technology is making it possible for businesses and billboard companies to purchase changeable message signs that have many more features and require less energy to operate than their predecessors of just a decade ago. These signs have become more popular in the past couple of years, but city staff has received complaints from motorists and residents that some of these signs are distracting and annoying due to excessive brightness and animation. In fact, some of these signs may be violating the current code standard which limits how bright signs can be.
3. Only on-premise (business) and not off-premise (billboard) signs are permitted to have electronic changeable copy under the current code. The company that owns most of the billboards in Lincoln asked staff to look at amending the sign provisions to allow them to install signs using this technology on some of their existing signs. Staff has reviewed codes in other cities and talked to experts in this sector of the sign industry. We are proposing some changes which will:
 - a) Permit off-premise signs (billboards) to utilize electronic changeable copy, including some nonconforming signs, subject to a special new requirement to remove multiple non conforming sign faces (or equivalent "banked" rights to install new billboards based on nonconforming signs that were previously removed). These new types of signs must also be spaced at least 5000 feet from another such sign.
 - b)) Set limitations on animation and brightness, geared toward those new electronic changeable copy signs. Brightness standards would be based on ambient light; the darker the sky the less the brightness to avoid glare. Signs would be equipped with mechanisms to automatically adjust to changes in

ambient light. Messages would be non-animated, with a minimum duration (on premise signs for 3 seconds, off-premise signs for 10 seconds). A maximum interval of 2 seconds for transition would be required between messages, and limited animation permitted during these transitions.

c) Establish new and modified definitions to help administer the new requirements

4. The department has worked with the sign industry to refine the standards. This is a new area of sign control with which a number of communities are struggling. Some communities have banned all electronic changeable copy signs, with possible exceptions for time/temperature or similar information. Mesa Arizona adopted brightness standards similar to the ones proposed below, but they are more restrictive about the frequency of message changes (no more than once per hour, unless approved by a special board on a case-by-case basis and for no less than 15 seconds per change). Sioux Falls' regulations allow maximum message time for a multi frame message to be ten seconds with up to five changes per sequence. The Nebraska Department of Roads has adopted regulations for billboards along the State Highway system which mirror the 10 -second rule and 5000 foot spacing for billboards in the city as proposed below
5. Following is the proposed change:

27.69.020 Definitions.

For the purpose of this chapter, certain terms and words are hereby defined.

ANIMATION shall mean the movement of any object or light used in conjunction with a sign such as blinking, flashing, traveling, scrolling, or changing degree of intensity of any light movement other than burning continuously.

AREA OF SIGN shall mean the area of the largest single face of the sign within a perimeter which forms the outside shape including any frame which forms an integral part of the display, but excluding necessary supports or uprights on which the sign may be placed. If the sign consists of more than one section or module, all areas will be totaled. Signs mounted or painted on a wall shall be calculated by using up to a simple eight-sided geometric figure around the advertising message and shall include any framing or border. Pylon signs shall have area measured from the bottom of the copy area.

BUILDING OFFICIAL shall mean the Director of Building and Safety of the City who is charged with the administration and enforcement of this code, or his or her duly authorized deputy.

CHANGEABLE COPY SIGN shall mean any sign on which message copy can be changed through the use of attachable letters and numerals or by electronic switching of lamps, light emitting devices, or illuminated tubes. This includes public message displays or any sign which features automatic switching such as time and temperature signs.

DIRECTIONAL SIGN shall mean any sign which serves primarily to designate the location or direction of any area or place. This definition shall also include any sign approved by the Director of Public Works and Utilities in connection with major street construction projects. A business name and/or logo is acceptable on a directional sign.

DISSOLVE shall mean a change from one message to another by means of varying light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

ELECTRIC SIGN shall mean any sign containing electrical wiring which is attached or intended to be attached to an electrical energy source, but not including signs illuminated by an exterior light source not an integral part of the sign.

ELECTRONIC CHANGEABLE COPY SIGN shall mean a sign containing a computer or digital software generated message or other automated or remote method of changing copy ~~such as a public~~

~~service time, temperature and date sign, message center or reader board, where different copy changes of a public service or commercial nature are shown on the same lamp bank or message facility.~~

ERECTED shall mean attached, altered, built, constructed, reconstructed, enlarged, or moved and shall include the painting of wall signs.

FACADE shall mean that portion of any exterior elevation of a building extending vertically from the grade to the top parapet wall or eaves and horizontally across the building in one plane of elevation. A facade may extend above the roof line.

FADE shall mean a change from one message to another by means of varying light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increased intensity to the point of legibility.

FLAG shall mean a sign constructed of a nonrigid piece of fabric attached to a pole structure on one vertical side only.

FLASHING/BLINKING/PULSATING SIGN shall mean the interior or exterior of a sign which contains flashing lights or exhibits noticeable changes in light intensity with a basic on-off of the same light source or display pattern or which includes the illusion of intermittent or flashing light by means of animation, or an externally-mounted intermittent light source.

GROUND SIGN shall mean a sign, other than a pole sign, in which the entire bottom of the sign is in contact with or is close to the ground and is independent of any other structure, and the top edge of the sign is ten feet or less above grade.

HEIGHT OF A SIGN shall mean the distance between the lowest grade level within two feet of either side of a sign, and the highest part of the sign or its support; except that if the property was lower than the adjacent roadway, then the height of the sign is to be calculated from the street grade at a ninety degree angle from the sign.

ILLUMINATED SIGN shall mean any sign which is directly lighted by any electrical light source, internal or external, regardless of technology. This definition shall not include signs which are illuminated by street lights or other light sources owned by any public agency or light sources which are specifically operated for the purpose of lighting the area in which the sign is located rather than the sign itself.

MARQUEE (canopy or awning) shall mean a protective shelter or overhang which projects more than twenty-four inches from the face of a building that is otherwise permitted by code or ordinance.

MARQUEE SIGN shall mean a sign attached to the face or on top or below a marquee. The area of marquee signs shall be counted toward the total allowable wall sign area of the parallel face to which the marquee is attached; if attached perpendicular to the wall, it shall be counted toward the allowed projecting sign area.

MOBILE SIGN shall mean a sign designed and constructed to be transported by its own wheels. When placed, a mobile sign must be supported by at least four integral metal supports which raise the wheels off the ground. Such sign shall not exceed ten feet in height.

NIT shall mean a unit of luminance equal to one candela (one candle) per square meter.

NONSTRUCTURAL TRIM shall mean the molding, battens, caps, nailing strips, latticing, cutouts, or ladders and walkways which are attached to the sign structure.

OFF-PREMISES SIGN shall mean any sign which serves to advertise a product, service, or activity not conducted on the premises on which the sign is located or within 300 lineal feet thereof.

ON-PREMISES SIGN shall mean any sign which serves to advertise and/or identify a product, service, or activity conducted on the premises on which the sign is located, or identifies said premises or a use thereof.

PEDESTRIAN MARQUEE SIGN shall mean a marquee sign oriented to the view of pedestrians which is attached to or constructed under the marquee or on the end of the marquee perpendicular to the parallel face to which the marquee is attached, but shall not project above the marquee.

PERSON shall mean and include any person, firm, partnership, association, corporation, company, or organization of any kind.

POLE SIGN shall mean a sign that is mounted on a freestanding pole or other support so that the bottom edge of the sign face is ten feet or more above grade. A pylon sign shall also be considered as a pole sign.

PROJECTING SIGN shall mean a sign other than a wall sign which is attached to and projects at an angle of not less than forty-five degrees from a structure or building face.

PROJECTION shall mean the distance by which a sign extends beyond a building or structure.

PYLON SIGN shall mean a pole sign greater than ten feet in height with a design incorporating a pole cover structure of greater than twenty-four inches in width in contact with the ground.

REAL ESTATE SIGN shall mean any sign which identifies an offer of the sale, rental, or lease of the premises on which it is located.

ROOF LINE shall mean the uppermost exterior surface of the roof of a building.

ROOF SIGN shall mean a sign mounted on the main roof portion of a building or on the top most edge of a parapet wall of a building; and when is wholly or partially supported by such building. For the purpose of this chapter, signs mounted on mansard facades, penthouse eaves, facades and architectural projections such as canopies or marquees shall not be considered to be roof signs. Signs mounted on an ornamental attachment not used for shelter or protection of persons or property, such as cupolas, shall be considered roof signs.

ROTATING SIGN shall mean any sign or portion of a sign which moves in a revolving or similar manner, but not including multi-prism indexing signs.

SCROLL shall mean a message transition where the message appears to move vertically across the display surface.

SEASONAL OR HOLIDAY SIGNS shall mean signs used for special occasions, such as religious and national holidays, and installed for a limited period of time not to exceed sixty days.

SIGN shall mean any structure, fixture, graphics, illustration, statue, or other device visible from off the premises designed or intended to advertise, to identify, to attract attention to, or to convey information regarding any goods, product, service, business, location, institution, activity, person, solicitation, issue, or campaign, with the exception of merchandise window displays, national, state or other Nebraska governmental subdivision flags, and sculpture. For purposes of removal, sign shall also include any sign structure.

SIGN STRUCTURE shall mean any structure which is designed or used to support any sign as defined in this chapter. A sign structure may be a single pole and may or may not be an integral part of the building.

TEMPORARY SIGN shall mean any outdoor sign or device including but not limited to banners, pennants, flags, or advertising display constructed of cloth, canvas, light fabric, cardboard, or other light

materials, with or without frames, intended to be displayed for a limited period of time only not to exceed sixty days in a calendar year and not permanently affixed; provided, that temporary signs shall not include mobile signs.

WALL SIGN shall mean any sign painted on or attached to the wall or facade of a building with the display surface parallel to or at an angle to which it is attached, and which projects no more than twenty-four inches from the wall surface. No wall sign shall extend vertically or horizontally beyond the building facade from which the sign is attached. A wall sign may project into a right-of-way. A wall sign may be located at any height on a parapet or facade. A wall sign may be mounted on a mansard facade or penthouse facade.

WINDOW SIGN shall mean a sign installed inside a window which can be viewed from outside the premises and is six feet or less from the window or is located within a window display area formed by walls or doors that block the view into the main building.

27.69.030 General Provisions.

No sign or part thereof shall be erected or maintained in any zoning district except in conformance with the provisions of this chapter. Unless otherwise provided in this chapter:

(a) Signs may be illuminated, except as otherwise provided in residential districts; provided, however, that the ~~illumination of any sign shall not exceed 300 foot lamberts as measured at any point on the property line upon which the sign is located~~ surface/face illumination of any sign shall not exceed the levels shown in Figure 1 below for different conditions of ambient light. Prior to the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been preset not to exceed the above illumination levels, and the preset intensity level is protected from end user manipulation by password protected software or other method approved by the Director of Building and Safety. Such an illuminated sign shall be equipped with a sensor and or timer to automatically adjust the day/night light intensity levels in accordance with Figure 1 below.

Figure 1 - Maximum Sign Brightness with Varying Ambient Light

[unable to bring graph into this document]

(b) No sign shall blink or flash, display an animated message, nor be illuminated by any device so as to appear to blink or flash or simulate animation, except for mobile signs and B-4 zoning district signs permitted by Section 27.69.070.

(c) No sign shall move, rotate, revolve, or simulate ~~movement~~ animation by means of spinning, fluttering, or reflective devices or lighting, except a sign may rotate or revolve at a rate not to exceed six revolutions per minute.

(d) No message on an electronic changeable copy sign shall be animated. Transition between messages are permitted but such transitions may only fade, scroll, or dissolve, and the transition shall not exceed a duration of two seconds. If the sign area displaying electronic changeable messages is greater than 80 square feet, the message shall hold for at least ten (10) seconds. If said sign area is 80 square feet or less, the message shall hold for at least three (3) seconds.

(~~d~~ e) No sign shall be erected or maintained in a required yard, encroach upon or overhang any adjacent property, or any other land or public right-of-way.

(~~e~~ f) No sign shall be erected upon or against a roof or on top of or above the parapet of a building.

(f g) No sign shall exceed the maximum height permitted for buildings in the zoning district in which it is located.

(g h) Every sign shall be permanently attached to the ground, or to a building or structure which is permanently attached to the ground, except for mobile signs as provided in this chapter and in Title 22 of the Lincoln Municipal Code.

(h i) The area of a double-faced sign or two-sided or three-sided V-type sign not exceeding an angle of sixty degrees is calculated on one face of the sign only. A four-sided sign is to be calculated as two signs, and a triangular, three-sided sign is to be calculated on its largest face.

(i j) No sign shall be painted on or attached to rocks, trees, or any other natural object.

(j ~~k~~) No sign shall be erected, placed, or maintained that violates the site obstruction regulations of the Department of Public Works and Utilities. Location of signs within sight distance limitations of street intersections or entrance or exits from private property shall be in accordance with and may be modified by regulations established by the Department of Public Works and Utilities.

(~~k~~ l) No sign or part thereof shall be erected in those zoning districts which are adjacent to or within the area of the interstate and federal-aid primary road systems in contravention of the advertising controls of the State of Nebraska.

(l ~~m~~) Signs for designated landmarks or in designated landmark districts must receive a certificate of appropriateness from the Historic Preservation Commission.

(~~m~~ n) Marquee signs shall be designed so that sign support braces are not visible from street level. When a building is erected adjacent to the front property line, the marquee sign may be attached to the marquee extending into or over the right-of-way. Pedestrian marquee signs shall not project beyond the edge of the marquee, and shall have a minimum clearance of eight feet above the walk or grade below.

(n ~~o~~) On-premises pole signs in the Capitol View Corridor Overlay District shall be subject to the regulations of said district, notwithstanding the otherwise applicable regulations of the underlying zoning district.

(~~o~~ p) A pole sign or ground sign permitted on a "per frontage" basis shall be allocated to and be located proximate to the specific frontage which would authorize such sign.

(p ~~q~~) The allowable wall sign area for a business within a multiple tenant building shall not exceed thirty percent of the wall area per building facade which abuts the business.

(r) In all nonresidential zoning districts, on-premises electronic changeable copy signs shall be permitted. The sign area displaying electronic changeable messages shall not exceed eighty square feet of sign area and such sign area shall be included as a part of the permitted signage for the premises on which it is located.

27.69.035 Off-Premises Signs.

(a) Administrative Permits. Off-premises signs are permitted in the B-1, B-3, B-4, H-1, H-2, H-3, H-4, and I-1 zoning districts by administrative permit issued by the Director of Building and Safety.

The administrative permits shall automatically expire ten years from their date of issuance. The permittee may make application for renewal of the administrative permit.

(1) Applications for administrative permits and renewals thereof shall include:

(i) The legal description of the land upon which an off-premises sign is to be located.

(ii) A copy of a signed lease or other verification that the applicant has permission of the owner of the land upon which the off-premises sign shall be located to locate the off-premises sign thereon.

(iii) The area of the proposed off-premises sign.

(iv) The description and location of a nonconforming off-premises sign or signs ~~encompassing equal or great total face area (rather than area of sign)~~ to be removed as required by subsection (e) below or ~~previously which was removed after January 10, 2000~~ and registered with the Department of Building and Safety ~~following the effective date of this ordinance~~ and not replaced, except ~~that this provision shall not be applicable for applications for renewal of an administrative permit previously used to satisfy the requirement of subsection (e) below. The above provisions are not required to be met for renewal of an administrative permit.~~ For the purpose of this section, a nonconforming off-premises sign shall mean any off-premises sign which was lawfully installed on the January 10, 2000 effective date of ~~this~~ Ordinance No. 17585 and for which an administrative permit has not been issued.

(2) The administrative permit and any renewals thereof shall be issued under the following conditions:

(i) The off-premises sign shall be subject to the provisions of this section, notwithstanding any other applicable regulation of the zoning district in which the off-premises sign is located.

(ii) The nonconforming off-premises sign or signs identified in the application for removal shall be removed prior to application for the permit or within 30 days of the date of the issuance of the permit.

(iii) The off-premises sign shall be removed within 30 days following the expiration of the permit.

(b) Siting Limitations.

(1) The minimum distance between an off-premises sign and an existing off-premises sign or nonconforming off-premises sign shall be 600 feet measured in all directions regardless of the zoning jurisdiction in which the existing off-premises sign or nonconforming off-premises sign is located, except that:

(i) If an off-premises sign conforms to all the siting limitations and other requirements of this section except for the minimum 600-foot distance from another off-premises sign, the Director of Building and Safety may approve an administrative permit for the face of the sign to be changed to an electronic changeable copy sign of equal or lesser face area; and

(ii) The minimum distance between any two off-premises electronic changeable copy signs shall be 5,000 feet measured in all directions regardless of the zoning jurisdiction in which the existing off-premises electronic changeable copy sign is located.

(2) The minimum distance between an off-premises sign and a public elementary or public high school, private school having a curriculum equivalent to a public elementary or public high school, college or university, park, or cemetery shall be 600 feet measured in all directions regardless of the zoning jurisdiction in which the public elementary or high school, private school having a curriculum equivalent to a public elementary or public high school, university, park, or cemetery is located.

(3) No off-premises sign shall be permitted in the areas designated as District A, District B, or District C of the Capitol View Corridor Overlay District.

(4) No off-premises sign shall be permitted within the B-4 zoning district area bounded by 10th Street, 14th Street, N Street, and P Street.

(5) Within one-fourth mile on either side of the corporate limits of the City, the minimum distance between an off-premises sign and any of the below listed entrance corridors to the City shall be 800 feet measured in all directions.

- (i) Interstate 80 and 180;
- (ii) West Bypass and “K” and “L” Extension;
- (iii) U.S. 77 north of Morton Street;
- (iv) Nebraska Highway 2;

- (v) U.S. 6;
- (vi) Cornhusker Highway;
- (vii) North 27th Street;
- (viii) "O" Street.

(6) Off-premises signs shall be located a minimum of 150 feet or one-half of the depth of the zoning district in which the off-premises sign shall be located, whichever is greater, measured in all directions from all residential zoning districts.

(7) No off-premises signs shall be located within 600 feet measured in all directions from a sensitivity zone. For the purpose of this section, a sensitivity zone shall mean an historic district, historic landmark, and Capitol environs.

(8) No off-premises signs shall be located within 660 feet of Interstate 80 and 180.

(c) Lighting. Illumination of off-premises signs shall not be allowed from midnight to 5:00 a.m. If off-premises signs are illuminated by reflected lighting, the lighting shall be provided by downlighting methods, until such time as sign illumination standards are adopted by resolution of the City Council and thereafter it shall in accordance with design standards. The lighting shall be controlled by an automatic timing device.

(d) Abandoned Signs. In addition to all other applicable regulations, off-premises sign structures and existing nonconforming off-premises sign structures which contain no sign copy on all faces for a continuous period of six months shall be considered an abandoned sign and shall be removed. This removal shall take place within ten days of the date of the abandonment.

(e) Removal of Existing Nonconforming Off-Premises Signs. For each new off-premises sign of a given total face area (rather than area of sign) to be erected within the zoning jurisdiction of the City in conformance with this section, an existing nonconforming off-premises sign or signs encompassing equal or greater total face area to the new off-premises sign shall be removed. In the alternative a nonconforming off-premises sign or signs removed after January 10, 2000 and registered with the Director of Building and Safety encompassing equal or greater face area to the new off-premises sign may be removed from the from the Director of Building and Safety registration and used in whole or part to satisfy this requirement. Notwithstanding the foregoing, for each new off-premises electronic changeable copy sign of a given sign

area (rather than face area) to be erected within the zoning jurisdiction of the City in conformance with this section, three (3) existing nonconforming signs each encompassing equal or greater sign area to the new off-premises electronic changeable copy sign shall be removed. In the alternative, three (3) nonconforming off-premises signs removed after January 10, 2000 and registered with the Director of Building and Safety, each encompassing equal or greater sign area value to the new off-premises sign, may be removed from the Director of Building and Safety registration and used in whole or part to satisfy this requirement.

(f) Notwithstanding (e) above, upon request of the applicant, the City Council may, after report and recommendation of the Planning Commission, grant the applicant a bonus of one additional off-premises sign of equal square footage to the nonconforming off-premises sign to be removed upon a finding that the nonconforming off-premises sign to be removed is located in an area of special aesthetic value to the community and that removal of the nonconforming off-premises sign in question is a special desire of the community.

27.69.070 Permitted Signs; B-4 Zoning District.

In the B-4 zoning district, the specific regulations are as follows:

(a) One on-premises pole sign or one on-premises ground sign per business per frontage is permitted. Such signs shall be spaced a minimum of fifty feet apart along any street frontage. In those instances where only a single business is conducted on the premises and the premises has a frontage along any one street of 150 feet or more, the business may have a maximum of two ground or pole signs as otherwise permitted in this section on any such frontage with a minimum spacing of 100 feet. If such sign is located in a required front yard, it shall not exceed fifty square feet of area, and a pole sign shall have a maximum height of twenty-five feet, and a ground sign shall have a maximum height of eight feet. If such sign is located outside the required front yard, it may have a maximum area of 100 square feet and a maximum height of thirty-five feet. If such sign is a combination of the two permitted signs of over 150 feet frontage, it may be increased to 150 square feet in area and thirty-five feet in height; provided it is fifty feet from other premises;

(b) Where more than one business is located on the premises, the on-premises signs permitted in the required front yard, pursuant to (a) above, may be combined. The resultant sign shall not exceed 150

square feet in area. Such pole signs shall be spaced a minimum of seventy-five feet from an adjoining premises;

(c) On-premises wall signs on building facades, attached to the face of the building, marquee, or mansard roof or substantially parallel thereto and not extending beyond or above the roof or the top of the cornice wall, are permitted. The sign area of such wall signs per building facade shall not exceed thirty percent coverage of the wall face, or a total of 500 square feet, whichever is lesser. Any marquee sign shall not exceed three feet in height or the height or vertical thickness of the marquee, whichever is greater. One pedestrian marquee sign per entrance not exceeding one foot in height and six square feet in area is permitted;

(d) In lieu of the signs permitted in subparagraph (a) above, projecting signs may be substituted. Such projecting signs may project from the building a maximum of six feet six inches and shall not extend above the roof line or top of a cornice wall. Such sign may project over the public right-of-way when the building is erected adjacent to the front property line. Such sign shall have a minimum clearance of eight feet above the walk or grade below and a maximum area of 150 square feet;

(e) On-premises wall signs on building facades, attached to the face of the building, marquee, or mansard roof or substantially parallel thereto and not extending above or beyond the roof or top of the cornice wall, are permitted. The sign area of such wall signs per building facade shall not exceed thirty percent coverage of the wall face or a total of 500 square feet, whichever is lesser. Marquee signs shall not exceed three feet in height or the height or vertical thickness of the marquee, whichever is greater, except marquee signs for theaters, which may be up to four feet in height or the height or vertical thickness of the marquee, whichever is greater. Those signs extending above or below the marquee shall be erected at a ninety degree angle to the building and shall project no more than six feet six inches with a minimum clearance of eight feet above the walk or grade below and shall not project above the cornice wall or roof of the building. All such marquee signs below the marquee shall not exceed twelve square feet in area;

(f) Within the area designated as an "entertainment district" in the Lincoln Center Plan (a subarea plan of the Comprehensive Plan) which area, for purposes of this subsection, includes that portion of the B-4 Lincoln Center District bounded by 11th Street, "R" Street, 13th Street, and "Q" Street, and that portion of the B-4 Lincoln Center District bounded on the north by "Q" Street and extending to mid-block

between "O" Street and "P" Street on the south, to mid-block between 10th Street and 11th Street on the west, and mid-block between 14th Street and 15th Street on the east, on-premises signs are permitted to extend up to twenty-five feet above the roof line or cornice wall of theaters;

(g) Off-premises signs not exceeding 700 square feet in area and forty-five feet in height are permitted, subject to the provisions of Section 27.69.035.

(h) In the area of the B-4 zoning district beginning 150 feet east of 17th Street and continuing to the western boundary of the B-4 District, on-premises signs may be animated, blink, or flash, or simulate animation. Flags of any organization, party, or individual are permitted, including flags mounted above or on roofs. The total sign area for all signs, including flags, shall not exceed that allowed in Section 27.69.070(a) through (e). No single flag shall exceed 150 square feet. ~~Signs having electronically changing sign area shall not exceed the provisions of Section 27.69.270.~~

~~27.69.270 — Other Permitted Signs; Nonresidential; Public Service Information.~~

~~— In any nonresidential district, electronic changeable copy signs displaying the time, temperature, weather, or similar public service information shall be permitted. The sign area displaying such information may change, blink, flash, or have the appearance of movement, provided that the changing sign area shall not exceed eighty square feet of sign area. Such area shall be included as a part of the permitted signage for the premises on which it is located.~~

27.69.330 Other Permitted Signs; Cemetery Grounds.

Cemeteries may have a cemetery grounds signing plan approved under the provisions of Section 27.63.510 to provide public information and to accommodate the unique requirements for services, provided:

- (a) The signing plan shall be designed to minimize adverse impact on surrounding properties;
- (b) Any sign proposed to be located in a required yard shall be approved as part of a landscaping plan;
- (c) No pole signs shall be allowed;

- (d) No ground signs shall exceed eight feet in height or fifty square feet in area if located along a major street and six feet in height and thirty-two square feet if located along any other street;
- (e) Signs shall have no exposed illumination, except LED or similar technologies;
- (f) All wall signs over fifty square feet in area shall be approved in the permit;
- (g) Signs located along a major street shall be spaced a minimum of 500 feet apart from each other.

Such cemetery grounds signing plan may be approved by administrative amendment as provided in Section 27.63.030 if a special permit has been issued for the cemetery.

The cemetery grounds signing plan regulations in subparagraphs (c), (d), (e) and (f) above may be modified by the City Council in connection with the granting of a special permit for a cemetery.

Note; Chapter 22 LMC needs to be reviewed by Building and Safety for consistency with these changes.

Prepared By:

Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov

Planner

September 11, 2006

APPLICANT: Marvin Krout
555 S. 10th St.
Lincoln, NE 68508
(402) 441-7491

CONTACT: Mike DeKalb
555 S. 10th Street
Lincoln, NE 68508
(402) 441-6370

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[9-21-06]

Memorandum

To: Mike Dekalb, Planning Department
From: Dennis Bartels, Engineering Services
Subject: Changes to the Sign Code, Chapter 27.69
Date: September 15, 2006
cc: Randy Hoskins
Roger Figard

Development Services has reviewed the proposed text changes concerning changeable message signs and has no objections. We do agree that there is a need to regulate and control these signs in regard to brightness and animation.